## IN THE UNITED STATES DISTRICT COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

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)	Case No. 08 C 04210
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)	Judge Elaine E. Bucklo
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## PLAINTIFF'S RULE 9027(e)(3) STATEMENT

The Plaintiff, PEOPLE OF THE STATE OF ILLINOIS, by Lisa Madigan,
Attorney General of Illinois, hereby makes the following statement, responding to
Defendants' Notice of Removal filed with this Court on July 24, 2008, as required by Rule
9027(e)(3) of the Federal Rules of Bankruptcy Procedure.

To the extent that the Defendants' Notice of Removal contemplates removal under Rule 9027 of the Federal Rules of Bankruptcy Procedure, Defendants' notice is defective in that:

- a) it fails to state whether, upon removal of the cause of action, the proceeding is core or non-core; and
- b) if the proceeding is non-core, it fails to state whether the Defendants do or do not consent to the entry of final orders or judgment by a judge of the United States Bankruptcy Court.

These items are required by Rule 9027(a)(1) of the Federal Rules of Bankruptcy Procedure.

Due to these defects, there are no allegations that the proceeding is core or non-core for Plaintiff to admit or deny, as contemplated by Rule 9027(e)(3). Notwithstanding these defects, and to preserve its rights, Plaintiff states that the cause of action is non-core, and that Plaintiff does not consent to the entry of final orders or judgment by a judge of the United States Bankruptcy Court.

Plaintiff makes these statements without waiving its rights to further respond or object to Defendants' Notice of Removal, including its right to move this Court to remand this action to the Circuit Court of Cook County, Illinois.

Dated: July 31, 2008 Respectfully submitted,

LISA MADIGAN, IN HER OFFICIAL CAPACITY AS ATTORNEY GENERAL OF ILLINOIS.

s/ Veronica L. Spicer

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Veronica L. Spicer

Assistant Attorney General, Consumer Fraud

LISA MADIGAN Attorney General of Illinois

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## **CERTIFICATE OF SERVICE**

The undersigned hereby certifies that she served a copy of the foregoing Plaintiff's Rule 9027(e)(3) Response to Defendants' Notice of Removal on July 31, 2008 in accordance with Fed. R. Civ. P. 5(b)(2)(D), Local Rule 5.5 and General Order on Electronic Case Filing (ECF) pursuant to the Northern District of Illinois' ECF filing system.

s/ Veronica L. Spicer

Veronica L. Spicer Assistant Attorney General 100 W. Randolph St., 12<sup>th</sup> Fl. Chicago, IL 60625